



Legislation Text

File #: O-1920-7, **Version:** 2

CONSIDERATION OF ORDINANCE O-1920-7 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 14-311(C) RELATED TO THE FINE AMOUNT FOR ACCESSIBLE PARKING; AMENDING SECTIONS 20-202(5) AND 20-701(9) RELATING TO THE CITY MANAGERS AUTHORITY AND THE AUTHORITY TO IMPOUND VEHICLES; ADDING SECTION 20-803(D) ALLOWING MOTORISTS WITH A DISABILITY AND DISPLAYING STATE ISSUED PLACARD OR PLATE TO PARK FREE OF CHARGE IN METERED PARKING SPACES; AMENDING AND RENUMBERING SEC. 20-807 AND DELETING 20-807(8) RELATING TO THE PARKING, STOPPING AND STANDING A VEHICLE; AMENDING SECTIONS 20-202, 20-802, 20-803 AND 20-813 TO INCLUDE PAY STATIONS; AMENDING 20-807(10)(A) BY REMOVING DEBARR AND REPLACING WITH DEAN'S ROW; ADDING 20-817 PROHIBITING PARKING IN ACCESSIBLE SPACES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: City staff presented a draft ordinance on July 9, 2019, to the City Council Oversight Committee amending the accessible parking ordinance, which includes increasing the fine to \$500, a new section for regulation of parking in accessible parking spaces and not requiring disabled persons to pay meters.

DISCUSSION: The following Sections will be amended:

Sec. 14-311(c). In this section, the term "handicapped" will be replaced with "accessible" and the fine amount increased from \$100, or \$150 if paid after five days, to \$500.

Sec. 20-701(9) (Authority to Impound) and Sec. 20-202(5) (City Manager Authority). In these two sections the term "handicapped" will be replaced with "accessible".

Sec. 20-807(8) (parking, stopping, standing a vehicle). This section will be deleted and replaced with Sec. 20-817.

Sec. 20-807(10)(a) will delete "DeBarr" and be replaced with "Dean's Row".

Sec. 20-817 Parking in an Accessible Parking Space Prohibited is a new section added to the Article VIII of Chapter 20 of the Norman City Code. This section follows the Oklahoma Statutes making it unlawful for any person to place or park a motor vehicle in any parking space that is designated and posted as a reserved area for parking a vehicle or transporting a physically disabled person unless the person has applied for and been issued a detachable placard by the State and is displayed as provided by State law. It will be unlawful to park, with or without a placard or plate, in any accessible parking space access aisle, wheelchair ramp or wheelchair unloading/loading area. It will also be unlawful for any person issued a placard or plate to knowingly allow a person to use the placard or plate not issued to them. It will not be lawful for a person to knowingly make a counterfeit placard or plate. It will exclude a person transporting a physically disabled person with an authorized placard or

plate from the provisions. Vehicles unlawfully parked in violation of Sec. 20-817 will be subject to immediate tow and be responsible for all necessary costs associated with towing and storage of the vehicle. The fine for a violation of 20-817 will be \$500. It does provide that any person cited for a first offense of a violation who has displayed an expired placard shall be entitled to a dismissal of such charge and not required to pay fines or court costs if it is presented within 30 days. Fines collected pursuant to this Section shall be distributed 80% to the general fund of the city and 20% to the Department of Public Safety for the system for enforcement of the disability parking provisions per state statute.

At the July Oversight meeting, a question was asked regarding earmarking funds for a specific agency. All Municipal Court fines and costs are deposited into the City's General Fund. In order for funds to be directed to a specific agency, it would be necessary for the City to enter into a contract with the agency and the contract be approved by City Council.

Sections 20-202, 20-802, 20-803 and 20-813 will be amended to include pay stations along with parking meters. Section 20-803(d) will be added to allow motorists with a disability and displaying a state issued placard or plate to park free of charge in metered parking spaces, with applicable time limits.

The statistical information below for 2017, 2018 and through 2019 references the number of handicapped parking violations issued. The citations dismissed with costs ("Dis. w/costs") refer to situations where a driver is ticketed due to an expired placard but the driver presents a renewed placard to the court. The citations dismissed without costs ("Dis. w/o costs") are first offenses of person who has a valid placard but did not have it displayed in the vehicle. Court costs are thirty dollars (\$30). Unpaid parking tickets are processed with a collection agency, but a warrant is not be issued.

Year 2017 - 70 paid \$100, 12 paid \$150, 17 were Dismissed With Costs, 65 were Dismissed Without Costs, 54 were Pending

Year 2018 - 79 paid \$100, 17 paid \$150, 9 were Dismissed With Costs, 57 were Dismissed Without Costs, 49 were Pending

Year 2019 - 15 paid \$100, 0 paid \$150, 27 were Dismissed With Costs, 0 were Dismissed Without Costs, 15 were Pending

RECOMMENDATION: City Staff recommends adoption of Ordinance O-1920-7.